

Exhibit 2

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

PARKER PELHAM, Individually and On Behalf of All
Others Similarly Situated,

Plaintiff,

vs.

VBIT TECHNOLOGIES CORP., VBIT MINING
LLC, ADVANCED MINING GROUP, DANH CONG
VO A/K/A DON VO, PHUONG D VO A/K/A KATIE
VO, SEAN TU, JIN GAO, LILLIAN ZHAO, AND
JOHN DOE INDIVIDUALS 1-10, AND DOE
COMPANIES 1-10,

Defendants.

C.A. No.: 23-cv-162-CFC-SRF

CLASS ACTION

AFFIDAVIT OF HA SUNG KIM

I, Ha Sung Kim, being duly sworn, depose and state as follows:

1. I am an attorney admitted to practice law in the State of New York. I am an attorney with The Rosen Law Firm, P.A. (“Rosen Law”) which represents lead plaintiff Alisha McKellar (“Ms. McKellar” or “Lead Plaintiff”) in this action. I have personal knowledge of the facts and matters set forth herein and, if called to testify, I could and would testify competently thereto.

2. Ms. McKellar first became involved in the action by filing her lead plaintiff motion on April 17, 2023. D.I. 7-9.

3. On July 5, 2023, this court granted Ms. McKellar’s motion and appointed her as lead plaintiff and appointed Rosen Law as interim lead counsel. D.I. 16-17.

4. On or about July 12, 2023, Rosen Law emailed various attorneys at Richards, Layton & Finger, P.A. (“Richards Layton”) asking if they would represent Phuong D Vo (“Ms. Vo”) in this litigation and if they would waive service.

5. On July 25, 2023, Rosen Law sent out summonses for the Defendants, including Ms. Vo. Here, Lead Plaintiff attempted to serve Ms. Vo via her attorneys at Richards Layton.

6. On or about July 27, 2023, an attorney from Richards Layton informed Lead Plaintiff’s local counsel, Farnan LLP (“Farnan”), that they received the complaint and summons, but did not agree any service was effected.

7. Also on July 27, 2023, Rosen Law sent an email to Richards Layton asking if they would accept service on behalf of Ms. Vo.

8. On July 28, 2023, an attorney from Richards Layton informed Rosen Law that they were not authorized to accept service on behalf of Ms. Vo.

9. On September 21, 2023, Rosen Law began investigating Ms. Vo’s possible addresses.

10. On September 22, 2023, Rosen Law sent the summons to be served to Ms. Vo at the address listed in the initial complaint. D.I. 1, ¶20. On September 23, 2023, at 11:52 a.m., service was attempted. However, an elderly Asian woman stated that no one by the name of Phuong D Vo a/k/a Katie Vo lived at the address.

11. On September 26, 2023, Rosen Law used a background checking service to locate another potential address for Ms. Vo. This address Rosen Law found was the same address as in the summons in *Dettmering v. VBit Techs. Corp.*, C.A. No. 22-1482-CFC-SRF (D. Del.) (D.I. 27).

12. Between September 26, 2023 and October 10, 2023, there were several attempts to serve Ms. Vo at her residence:

- a. Sep. 28, 2023, at 7:28 p.m.
- b. October 3, 2023, at 6:53 p.m.
- c. October 4, 2023, at 3:53 p.m.
- d. October 10, 2023, from 7:10 p.m. to 7:30 p.m.

13. The server could not access Ms. Vo's apartment unit, as the server did not have a means of entering the building. Upon information and belief, the "door bell system" was broken, preventing the server from accessing the building interior.

14. On October 10, 2023, upon information and belief, the server left a note for Ms. Vo on her mailbox.

15. Lead Plaintiff has made numerous, good-faith attempts to serve Ms. Vo, to no avail. Signed under the pains and penalties of perjury this 29th day of November, 2023 in New York, NY.

/s/ Ha Sung Kim
Ha Sung (Scott) Kim

CERTIFICATE OF SERVICE

I hereby certify that on November 29, 2023, a true and correct copy of the foregoing document was served by CM/ECF to the parties registered to the Court's CM/ECF system.

/s/ Brian E. Farnan